



PATENTS

IN THE U.S. PATENT AND TRADEMARK OFFICE

In re Application of: **Oswaldo da Costa e Silva et al.**

Docket No. 16313-0032

Serial No. **09/828,313**Filed: **April 6, 2001**For: **Protein Kinase Stress-Related Proteins and Methods of Use in Plants**

Attention: Box Missing Parts

Commissioner for Patents
Washington, D.C. 20231

Sir:

RESPONSE TO NOTICE TO FILE MISSING PARTS – FILING DATE GRANTED

Transmitted herewith are papers in the above-identified application.

- Part 2- Return Copy – Notice to File Missing Parts of Application – Filing Date Granted.
- Executed Declaration and Power of Attorney (5).
- Sequence Identification Listing - an initial paper and computer readable form.
- Statement Accompanying Sequence Identification Listing.
- Preliminary Amendment requesting entry of Sequence Identification Listing.
- The additional fee is calculated as shown below.

FOR:	NO. FILED	NO. EXTRA	SMALL ENTITY		OTHER THAN SMALL ENTITY	
			RATE	Fee	Rate	Fee
BASIC FEE			\$355		\$710	710.00
TOTAL CLAIMS	46 - 20 =	26	x9 =		x18 =	468.00
INDEP. CLAIMS	5 - 3 =	2	x40 =		x80 =	160.00
<input checked="" type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENTED		+135 =			+270 =	270.00
<input checked="" type="checkbox"/> LATE-FILING SURCHARGE		+65 =			+130 =	130.00
<input type="checkbox"/> FOREIGN LANGUAGE SURCHARGE		+130=			+130 =	
<input type="checkbox"/> OTHER						
			TOTAL	\$	TOTAL	\$1738.00

- A check in the amount of **\$1738.00** is attached.
- The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16, or credit any overpayment, to Account No. 19-5029. A duplicate copy of this sheet is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on August 17, 2001.

Lisa M. Cobern– Reg. No. 44,669

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By:

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COMMISSIONER FOR PATENTS
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WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/828,313	04/06/2001	Oswaldo da Costa e Silva	16313-0032

CONFIRMATION NO. 6571

FORMALITIES LETTER



OC000000006198195

Lisa M. Cobern
SUTHERLAND ASBILL & BRENNAN LLP
999 Peachtree Street, NE
Atlanta, GA 30309-3996

Date Mailed: 06/19/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.

Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

08/22/2001 SDENB0B1 00000021 09828313

- Total additional claim fee(s) for this application is \$898.

■ \$468 for 26 total claims over 20.	01 FC:101	710.00	OP
■ \$160 for 2 independent claims over 3 .	02 FC:102	160.00	OP
	03 FC:103	468.00	OP
■ \$270 for multiple dependent claim surcharge.	04 FC:104	270.00	OP
	05 FC:105	130.00	OP

- The oath or declaration is missing.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

- The balance due by applicant is \$ 1738.**

- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application.

Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b),

or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE